

Amendments to Title 15,  
Department of Public Works and Waste Management

1. Title 15, Department of Public Works and Waste Management, is amended to read as follows:

"TITLE MC-15  
DEPARTMENT OF PUBLIC WORKS [AND WASTE MANAGEMENT]"

SUBTITLE [01] 02  
STREET LIGHTING STANDARDS

CHAPTER [901] 201  
STREET LIGHTING STANDARDS

Subchapter 1 General Provisions

<del>§15-901-1]</del> <u>§15-201-1</u>	Title
<del>§15-901-2]</del> <u>§15-201-2</u>	Authority
<del>§15-901-3]</del> <u>§15-201-3</u>	Purpose
<del>§15-901-4]</del> <u>§15-201-4</u>	Construction
<del>§15-901-5]</del> <u>§15-201-5</u>	Definitions
<del>§15-901-6]</del> <u>§15-201-6</u>	Lamp standards
<del>§15-901-7]</del> <u>§15-201-7</u>	Luminaire standards
<del>§15-901-8]</del> <u>§15-201-8</u>	Light standards (poles)
<del>§15-901-9]</del> <u>§15-201-9</u>	Installation, illumination, removal, and alteration guidelines
<del>§15-901-10]</del> <u>§15-201-10</u>	Severability

SUBCHAPTER 1  
GENERAL PROVISIONS

~~§15-901-1]~~ §15-201-1 Title. The rules in this chapter shall be known as the "Street Lighting Standards". [Eff 3/23/00; am and comp] (Auth: HRS §§46-1.5(13), (16)) (Imp: MCC §18.20.060)

~~§15-901-2]~~ §15-201-2 Authority. The rules herein are established pursuant to sections ~~[46.15(13)]~~ 46-1.5(13) and ~~[46.15(16)]~~ 46-1.5(16) of the Hawaii Revised Statutes. [Eff 3/23/00; am and comp] (Auth: HRS §§46-1.5(13), (16)) (Imp: MCC §18.20.060)

~~§15-901-3]~~ §15-201-3 Purpose. These rules provide standards for outdoor lighting that, while providing a level of safety for vehicular and

pedestrian traffic, do not excessively interfere with nighttime viewing and avoid glare and light trespass onto private property. These rules also encourage the conservation of electricity. [Eff 3/23/00; am and comp] (Auth: HRS §§46-1.5(13), (16)) (Imp: MCC §18.20.060)

[§15-901-4] §15-201-4 Construction. These rules should be read in conjunction with the provisions of Hawaii Revised Statutes, the [charter of the county,] revised charter of the County of Maui (1983), as amended, and the Maui [county code.] County Code. In any conflict between the general provisions herein and any other provision, the more restrictive provision shall govern. [Eff 3/23/00; am and comp] (Auth: HRS §§46-1.5(13), (16)) (Imp: MCC §18.20.060)

[§15-901-5] §15-201-5 Definitions. For the purpose of these rules, unless it is plainly evident from the context that a different meaning is intended, certain words and phrases used herein are defined as follows:

“Agricultural” means areas designated agricultural by the State land use commission and/or zoned agricultural via [county] County ordinance.

“Blue light power content” means the International Dark Sky Association’s (IDA) definition of blue light content or the sum of energy between 405-530nm divided by the sum of energy from 380-730nm times the total power output in watts. The blue light power content for HPS is 10w for 100w HPS bulb, 15w for a 150w HPS bulb, and 25w for a 250w HPS bulb.

“CCT” is correlated color temperature expressed in degree Kelvin (K).

“Director” means the director of the department of public works [and waste management] of the [county] County of Maui, or a duly authorized designee.

“Fully shielded” means that the outdoor light fixture is constructed so that all of the light emitted by the fixture is projected below the horizontal plane of the lowest point of the fixture.

“Glare” means the sensation produced by luminance within the visual field that is sufficiently greater than the luminance to which the eyes are adapted to cause annoyance, discomfort, or loss in visual performance and visibility.

“LED” means light emitting diode.

“Light trespass” is any form of artificial illumination emanating from a luminaire that penetrates other property other than its intended use.

“Luminaire” means the complete lighting assembly, less the support assembly.

“Partially shielded” means that the outdoor lighting fixture is constructed so that at least ninety [per cent] percent of the light emitted by the fixture is projected below the horizontal plane of the lowest point of the fixture.

“Rural” means areas designated rural by the State land use commission and/or zoned rural by [county] County ordinance.

“S/P ratio” means the proportion of scotopic to photopic output.

“Urban” means areas designated urban by the State land use commission. [Eff 3/23/00; am and comp] (Auth: HRS §§46-1.5(13), (16)) (Imp: MCC §18.20.060)

[§15-901-6] §15-201-6 Lamp standards. (a) High pressure sodium or LED lamps or other fixtures approved by the director shall be the only allowed lamp on public and/or private right-of-ways; however, existing lamps other than high pressure sodium or LED lamps shall remain until they expire at which time they shall be replaced.

(b) [Specifically, mercury vapor lamps are expressly prohibited and all such lamps shall be removed within five years from the effective date of these rules.] LED lamps shall meet the following requirements:

- i) CCT of less than 300k.
- ii) S/P ratio <1.2.
- iii) Blue light power content less than the corresponding blue light power content for HPS.
- iv) Adaptive controls to allow for dimming.

(c) For roadways within the rural or agricultural areas, the maximum allowable wattage shall be 100W HPS (or equivalent LED wattage) for internal road intersections and 150W HPS (or equivalent LED wattage) for intersections from a project with a major and/or minor collector road.

(d) For roadways within the urban areas, the maximum allowable wattage shall be 150W HPS (or equivalent LED wattage) for internal road intersections and 250W HPS (or equivalent LED wattage) at intersections with a major or minor collector road. [Eff 3/23/00; am and comp] (Auth: HRS §§46-1.5(13), (16)) (Imp: MCC §18.20.060)

[§15-901-7] §15-201-7 Luminaire standards. Fully shielded luminaires shall be the only allowed fixture on public and/or private right-of-ways [; however, existing fixtures other than fully shielded luminaires shall be replaced by the earlier of expiration or inoperability of the fixture or five years from the effective date of these rules]. [Eff 3/23/00; am and comp] (Auth: HRS §§46-1.5(13), (16)) (Imp: MCC §18.20.060)

[§15-901-8] §15-201-8 Light standards (poles). (a) Free standing aluminum light standards and aluminum arms shall continue to be stocked and used for existing lighting within major collector roadways.

(b) Any new subdivision or project that requires street lighting within public roadways, shall use light standards that are non-reflective, such as anodized bronze or any other light standard accepted by the director. Any unusual or project specific requests for non-standard lighting standards shall be reviewed and approved by the director after consultation with the utilities, the public works commission, and applicant.

(c) The maximum height of the light standard, measured from ground level directly below the luminaire to the bottom of the lamp itself, shall be twenty feet. Also, light standards are only required at intersecting streets. Any variation to this height standard will be reviewed and approved by the director after consultation with the public works commission.

(d) Any unusual or project specific requests for non-standard lighting standards shall be reviewed and approved by the director after consultation with the utilities, the public works commission, and applicant. [Eff 3/23/00; am and comp] (Auth: HRS §§46-1.5(13), (16)) (Imp: MCC §18.20.060)

[§15-901-9] §15-201-9 Installation, illumination, removal, and alteration guidelines. (a) The department may install, illuminate, remove, or alter street lights for:

- (1) Locations where the nighttime accident rate exceeds those of the daylight hours[;].
- (2) Intersections, urban or rural, taking into consideration the layout of the intersection, traffic volumes, location of the intersection, concentration of pedestrians, roadside interferences and that

channelized intersections and the roadway width may require more lighting[;] .

- (3) Any significant change of the roadway alignment, long bridges, tunnels, or any structures that may be hazardous, such as curbs, piers, abutments, or culverts[;] .
- (4) Locations along the highway where police reports show crimes are committed, such as theft, rape, and bodily harm cases[;] .
- (5) Locations of a highway where traffic turning movements to and from roadside developments threaten public safety[;] .
- (6) Subdivision streets, provided that the street has been dedicated to the [county] County and at least fifty [per cent] percent of the lots on the street are occupied.
- (b) Street lights not needed shall be removed. [Eff 3/23/00; am and comp] (Auth: HRS §§46-1.5(13), (16), MCC §12.17.030) (Imp: MCC §18.20.060)

[§15-901-10] §15-201-10 [Severability.] Severability. If any portion of the foregoing rules or the applicability thereof to any person, property or circumstance is held invalid for any reason, that invalidity shall not affect other provisions or applications which can be given effect without the invalid provision or application, and to this end these are declared to be severable.["] [Eff 3/23/00; am and comp] (Auth: HRS §§46-1.5(13), (16)) (Imp: MCC §18.20.060)"

2. Material, except source notes, to be repealed is bracketed. New material is underscored.

3. Additions to update source notes to reflect these amendments are not underscored.

4. These amendments to Title 15, Department of Public Works and Waste Management, shall take effect ten days after filing with the Office of the County Clerk.

2017-0955

2017-08-30 Amd to Title 15 (Ramseyer)

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at Wailuku,  
Maui, Hawaii.

DEPARTMENT OF PUBLIC WORKS

\_\_\_\_\_  
DAVID C. GOODE  
Director

\_\_\_\_\_  
ALAN M. ARAKAWA  
Mayor, County of Maui

Approved this \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_.

APPROVED AS TO FORM  
AND LEGALITY:

\_\_\_\_\_  
MICHAEL J. HOPPER  
Deputy Corporation Counsel  
County of Maui

Received this \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
DANNY A. MATEO  
County Clerk  
County of Maui

## CERTIFICATION

I, DAVID C. GOODE, Director, Department of Public Works, County of Maui, do hereby certify:

1. That the foregoing is a copy of the amendments to the Rules Pertaining to Street Lighting Standards for the County of Maui, drafted in Ramseyer format, pursuant to the requirements to Section 91-4.1, Hawaii Revised Statutes, which were adopted on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, following a public hearing on \_\_\_\_\_, and filed with the Office of the County Clerk.

2. That the notice of public hearing on the foregoing amendments to the rules was published in The Maui News on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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DAVID C. GOODE, Director  
Department of Public Works

2017-0955

2017-08-30 Amd to Title 15